

Serial No. 10/648,805

Attorney Docket No. 14-018-RCE3

REMARKS

Claims 1-35 are pending. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

In the advisory action, it was stated that the amendments made in the after-final amendment of 31 July 2008 "may raise new matter." Each of the amendments made to the claims is fully supported by the original specification and drawings, as explained below.

Claim 1 was amended to recite that the target speed is "repeatedly" calculated. The location of the support in the original specification is given on page 13 of the amendment filed on 31 July 2008.

Claims 1 and 2 were amended to recite that the target speed is calculated "in accordance with the driving operation in a predetermined control cycle." Figure 6 discloses a control process in which target speed is calculated. Further details of the target speed calculation are shown in the control process of Fig. 7. Note that the control process of Fig. 6 includes determinations based on the driving operation and is thus "in accordance with the driving operation." See for example steps 300 and 302, which are determinations based on an intention to accelerate or to maintain a stop. Further, see step 416 of Fig. 7, which is based in part on the actual vehicle speed. Further, the paragraph starts on line 18, page 33, states that "As a result of the processing of the previously described processing up to processing at 414, the corrected target creep vehicle speed α is determined in accordance with the driving conditions, the road surface conditions, and driving operations." The paragraph that starts on line 23 of page 21 states that "Each processing shown in the flow chart is initiated when the ignition is turned on, and is repeatedly executed with a predetermined control cycle (for example, 5 to 10 ms)."

Serial No. 10/648,805

Attorney Docket No. 14-018-RCE3

Therefore, calculation of the target speed in accordance with the driving operation in a predetermined control cycle is fully disclosed in the original specification, and no new matter is involved.

Claim 2 was amended to recite "a brake operation amount detection unit for detecting an operation amount of a brake pedal." Fig. 1 discloses a brake operation amount detection unit 51. This unit is described at least on page 18, lines 3 and 4, of the original specification. Therefore, this amendment to claim 2 does not involve new matter.

Claim 2 was further amended to recite "the target creep speed setting unit decreases the target creep speed when the operation amount of the brake pedal increases." This is supported in the original specification as detailed below.

The paragraph that begins on page 31, line 8, states that "Correction coefficient K2 is set so as to decrease from 1 in accordance with the magnitude of the brake operation amount of the driver." Thus, when the operation amount of the brake pedal increases, the coefficient K2 decreases to a number less than one. A graph of K2 with respect to the brake operation amount is illustrated in Fig. 8B. Also, step 412 of Fig. 7 shows that K2 is one of several factors that are multiplied with a reference creep vehicle speed to determine α , which represents the target creep speed. Any number that is multiplied by a number that is less than one (a fraction) will be decreased. Thus, it is clear from Fig. 8B and step 412 of Fig. 7 that an increase in the brake operation amount will reduce the target creep speed. Therefore, the amendment to claim 2 that "the target creep speed setting unit decreases the target creep speed when the operation amount of the brake pedal increases" does not involve new matter.

In view of the foregoing, and in view of the remarks and amendments made in the amendment of 31 July 2008, the applicants submit that this application is in condition for

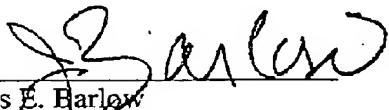
Serial No. 10/648,805

Attorney Docket No. 14-018-RCE3

allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,



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